

## **DEVELOPMENT CONDITIONS**

**SEA 79-D-071-02**

**February 29, 2016**

With the approval of SEA 79-D-071-02 located at 999 Balls Hill Road [Tax Map 21-3 ((1)) 66B] to amend a special exception for a private club to permit the addition of a child care center pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, the Board of Supervisors conditioned the approval by requiring conformance with the following development conditions. These conditions incorporate and supersede all previous conditions. Conditions carried forward from the previous Special Exception approval are denoted with an asterisk (\*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat, as qualified by these development conditions.\*
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.\*
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled *Special Exception Plat Sharon Masonic Lodge*, prepared by Howell B. Simmons, dated August, 1983 as revised through October 5, 2015, consisting of one sheet and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
5. No social function which is not directly related to the Masonic Fraternity Order or its related organizations shall be permitted on the property.\*
6. Lighting of the site shall be directed away from adjacent lots and shall not interfere with driving conditions on adjacent highways.\*
7. The Sharon Lodge #327 shall be permitted to have outdoor social functions, provided they are directly related to the Masonic Fraternity Order or its related organizations, on three (3) days per calendar year. Attendance at these functions shall be limited to not more than 139 people.\*

8. Social functions which are directly related to the Masonic Fraternity Order or its related organizations may be held indoors on the property, provided total attendance at any such function does not exceed 100 persons, and provided such functions are completed by 10:00 p.m. Mondays through Saturdays and by 6:00 p.m. on Sundays.\*
9. The southern boundary of the north/south parking lots shall be bounded by earthen berms, not less than 3 feet in height, and landscaped to the satisfaction of DPWES.\*
10. The development of the site shall provide those Best Management Practices (BMPs) which are part of the Public Facilities Manual at the time of final site plan approval.\*
11. The interior sound levels of the main structure shall be in conformance with the following standards:

PROCEDURE FOR THE ACOUSTICAL TREATMENT OF COMMERCIAL UNITS  
WITHIN A HIGHWAY IMPACT ZONE WITH LEVELS IN EXCESS OF 75 dBA

1. A. In order to achieve a maximum interior noise level of 55 dBA in all commercial units located within that area impacted by highway noise having levels which exceed 75 dBA L10, all commercial units shall have the following acoustical attributes:
    1. Roofs and exterior walls shall have a laboratory sound transmission class (STC) of at least 45; and\*
    2. Doors and windows shall have a laboratory sound transmission class (STC) of at least 37.\*
  - B. Construction drawings for all commercial units shall be submitted to the County for review and certification that the proposed materials and construction techniques appear to be satisfactory for the desired acoustical treatment and in conformance with all applicable provisions of the state building code.\*
  - C. Within 20 working days of receipt of appropriate construction drawings, the County shall approve or reject the drawings based upon the ability of the proposed construction materials and techniques to adequately insulate the interior of all structures as set forth in A. In the event that the drawings are rejected, the reasons for these actions shall be submitted to the builder/developer in writing. No construction of commercial units shall occur prior to the approval of appropriate construction drawings.\*
12. Upon the issuance of the Non-RUP for the child care center, the maximum daily enrollment for the morning session of the child care center shall be limited to forty (40) children and the maximum daily enrollment for the afternoon session of the child care center shall also be limited to forty (40) children. The total number of staff

persons or employees for the child care center shall be limited to fifteen (15) at any one time.

13. On regular before and after school care days, the maximum hours of operation of the child care center shall be limited to 6:30 a.m. to 8:00 a.m. and to 2:30 p.m. to 7:00 p.m. On summer camp days, snow days, and teacher work days, as defined by Fairfax County Public Schools, as well as any other days that school is not in session for Fairfax County Public Schools, the maximum hours of operation of the child care center shall be limited to 6:30 a.m. to 7:00 p.m. The child care center may be permitted occasional evening hours, not to exceed one time a month and up to 10:00 p.m. The child care center shall not operate when the Masonic Fraternity order and its related organizations have a social function on the subject site. Hours of operation do not include staff arrival and departure times or other administrative tasks and teacher training.
14. On regular before and after school care days, the outdoor play area shall only be used between the hours of 3:30 p.m. and 5:30 p.m. and for no more than 30 minutes.
15. Outdoor play shall not occur within 25 feet from any property line.
16. The drop-off and pick-up of children shall be staggered. In order to limit traffic impacts on Balls Hill Road, children shall not be picked up at the application property between the hours of 5:00 p.m. and 6:30 p.m., with the exception of emergencies. A log-in/log-out book shall be kept and maintained by the applicant to log when children are dropped-off and picked-up and the drop-off/pick-up information captured by the log book shall be provided to the Department of Planning and Zoning (DPZ) twice a year, at the end of each fall and spring session, and shall be made available to the County upon demand. The children may be identified in the log book by code (number/initials/etc.) to protect the privacy of the children. The log book information shall be used as input for the Operational Analysis should an enrollment increase be requested.
17. The applicant shall coordinate with Cooper Middle School to ensure that the timing of the child care center's drop-off of children does not coincide with that of Cooper Middle School. The drop-off of children shall not occur within 15 minutes before the start time of Cooper Middle School. No drop-off or pick-up of children by parents/guardians shall occur at Cooper Middle School.
18. On regular before and after school care days, shuttle vans/buses shall be used to transport the children from the subject site to their respective schools in the morning, and to transport the children from their respective schools to the subject site in the afternoon.
19. The employees of the child care center and the shuttle vans shall not park in the front parking lot in order to reserve the front parking lot for the drop-off and pick-up of children.

20. No drop-off or pick-up of any child not enrolled in the child care center shall occur on the application property.
21. All dead, dying or diseased trees on-site, as determined by the Urban Forest Management Division of DPWES, shall be replaced to remain in conformance with the Special Exception Amendment Plat within one year of approval of SEA 79-D-071-02. Planting shall occur between the dates of March 1 and May 15, or November 15 and December 15. Any dead, diseased or dying Bradford Pears shall be replaced with Littleleaf Linden. Any dead, diseased or dying Pin Oak or Sycamore shall be replaced with White Oak, Northern Red Oak or Platanus species.
22. At the time a child is enrolled, parents/guardians shall be provided a copy of the Parent Handbook, which shall outline the staggered afternoon pick-up times and the restriction on pick-up of children between 5:00 p.m. and 6:30 p.m.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit (Non-RUP) through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless a new (Non-RUP) has been issued to reflect this Special Exception Amendment. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.